

Practitioner's Docket No. 49004/HHA/A641 65476-5009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alan L. Backus et al.

Application No.: 10/648,836

Group No.: 1761

Filed: 08/26/2003

Examiner: Alexander, Reginald

For: ENCLOSED ROTISSERIE WITH ADDED CONVENIENCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))

TIME OF TRANSMITTAL OF ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either

(1) a final action under § 1.113 or

(2) a notice of allowance under § 1.311

whichever occurs first, and it is accompanied by the fee of \$180.00 set forth in § 1.17(p).

Date: April 25, 2005

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Registration No. 39,739
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04/28/2005 WABDELRI 00000033 100440 10648836

01 FC:1806 180.00 DA

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

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Date: April 25, 2005

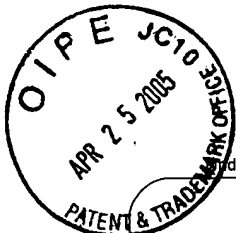
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Elizabeth He

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance--page 1 of 1



04-27-05

1fw/B

PTO/SB/21 (09-04)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

38

Application Number

10/648,836

Filing Date

August 26, 2003

First Named Inventor

Alan L. Backus

Art Unit

1761

Examiner Name

Alexander, Reginald

Attorney Docket Number

65476-5009

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks The PTO did not receive the following listed item(s) <u>6 FOR + 5 NPL</u>	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Jeffer, Mangels, Butler & Marmaro LLP		
Signature			
Printed name	Grant T. Langton		
Date	4/25/05	Reg. No.	39,739

CERTIFICATE OF TRANSMISSION/MAILING

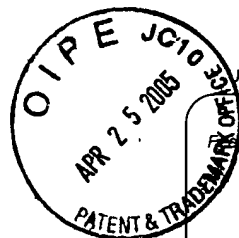
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as **express** mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Typed or printed name	Elizabeth He	Date	4/25/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180.00**Complete if Known**

Application Number	10/648,836
Filing Date	August 26, 2003
First Named Inventor	Alan L. Backus
Examiner Name	Alexander, Reginald
Art Unit	1761
Attorney Docket No.	65476-5009

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 10-0440 Deposit Account Name: Jeffer Mangels Butler & Marmaro

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=	

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of total claims paid for, if greater than 20
HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Submission of Information Disclosure Statement

180.00

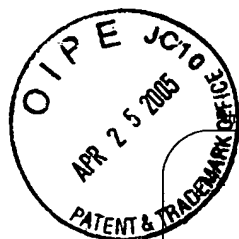
SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 39,739	Telephone 310-203-8080
Name (Print/Type)	Grant T. Langton	Date	4/25/05

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 7

Complete if Known

Application Number	10/648,836
Filing Date	August 26, 2003
First Named Inventor	Alan L. Backus
Art Unit	1761
Examiner Name	Alexander, Reginald
Attorney Docket Number	65476-5009

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 1,584,121	05/1926	Moecker Jr. et al.	
		US- 1,786,300	12/1930	Harrison	
		US- 2,012,811	08/1935	Duffy	
		US- 2,085,169	06/1937	Prood	
		US- 2,245,220	06/1941	Nelson	
		US- 2,502,685	04/1950	Warner	
		US- 2,607,286	08/1952	Krissel	
		US- 2,619,951	12/1952	Kahn	
		US- 2,681,001	06/1954	Smith	
		US- 2,701,516	02/1955	Dorsey	
		US- 2,705,450	04/1955	Steinbook	
		US- 2,722,882	11/1955	Wilson	
		US- 2,754,401	07/1956	Edelman	
		US- 2,827,847	03/1958	Shafter	
		US- 2,828,733	04/1958	Moore, Jr.	
		US- 2,831,421	04/1958	Mele	
		US- 2,839,989	06/1958	Persinger	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		IT-555893	01/1957			
		FR-1,218,203	05/1960			
		GB-850,083	09/1960			
		GB-996,233	06/1965			
		DE-3606800	09/1987			

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SignatureDate
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2

of 7

Complete if Known

Application Number	10/648,836
Filing Date	August 26, 2003
First Named Inventor	Alan L. Backus
Art Unit	1761
Examiner Name	Alexander, Reginald
Attorney Docket Number	65476-5009

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Dorman, et al., Advantage Partners, LLC v. Salton, Inc., et al. "Ex Parte Application For Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction", Dated Feb. 2, 2001; (6) Pages.	
		Hankin, et al. Advantage Partners, LLC v. Salton, Inc., et al. "Defendant Salton, Inc.'s Opposition to Plaintiff's Ex Parte Application For Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction" Dated Feb. 6, 2001; (18) Pages.	
		Dorman, et al., Advantage Partners, LLC v. Salton, Inc., et al. "Plaintiff's Reply to Salton's Opposition to Ex Parte Application for Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction". Dated Feb. 7, 2001; (31) Pages.	
		Dorman, et al., Advantage Partners, LLC v. Salton, Inc., et al. "Ex Parte Order Granting Application for Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction", Dated Feb. 9, 2001; (5) pages.	
		Dorman, et al., Advantage Partners, LLC v. Salton, Inc., et al. "Final Consent Judgement and Permanent Injunction Against Defendant Salton, Inc."; Dated Feb. 20, 2001; (9) pages.	

Examiner
SignatureDate
Considered

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 3

of 7

Complete if Known

Application Number	10/648,836
Filing Date	August 26, 2003
First Named Inventor	Alan L. Backus
Art Unit	1761
Examiner Name	Alexander, Reginald
Attorney Docket Number	65476-5009

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 2,846,941	08/1958	Goodwin	
		US- 2,851,575	09/1958	Walston et al.	
		US- 2,895,408	07/1959	Glenny	
		US- 2,898,437	08/1959	McFarland	
		US- 2,917,988	12/1959	Harris, John L	
		US- 2,925,081	02/1960	Shooter	
		US- 2,938,450	05/1960	Carpenter et al.	
		US- 2,979,053	04/1961	Crispell et al.	
		US- 2,983,218	05/1961	Persinger et al.	
		US- 3,025,783	03/1962	Coudek	
		US- 3,045,581	07/1962	Bernstein	
		US- 3,079,208	02/1963	Compton	
		US- 3,103,161	09/1963	Whitehead	
		US- 3,121,424	02/1964	Russell	
		US- 3,126,814	03/1964	Brown	
		US- 3,127,889	04/1964	Mills	
		US- 3,181,453	05/1965	Moran	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		FR-853,400	03/1940			
		KR-206810	12/2001	Lee		

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SignatureDate
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 4

of 7

Complete if Known

Application Number	10/648,836
Filing Date	August 26, 2003
First Named Inventor	Alan L. Backus
Art Unit	1761
Examiner Name	Alexander, Reginald
Attorney Docket Number	65476-5009

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3,188,939	06/1965	Smith	
		US- 3,196,776	07/1965	Norton	
		US- 3,315,591	04/1967	Elliott	
		US- 3,335,712	08/1967	Marasco	
		US- 3,511,170	05/1970	O'Connor	
		US- 3,527,155	09/1970	Renn	
		US- 3,529,536	09/1970	Milhem	
		US- 3,566,777	03/1971	Kozioi	
		US- 3,693,538	09/1972	Synder	
		US- 3,838,538	10/1974	Burford	
		US- 3,867,877	02/1975	Zajc	
		US- 3,901,136	08/1975	Wilson et al.	
		US- 4,089,258	05/1978	Berger	
		US- 4,119,020	10/1978	Sharp et al.	
		US- 4,214,516	07/1980	Friedl et al.	
		US- 4,409,452	10/1983	Oouchi et al.	
		US- 4,421,016	12/1983	Sich	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 5

of

7

Complete if Known

Application Number	10/648,836
Filing Date	August 26, 2003
First Named Inventor	Alan L. Backus
Art Unit	1761
Examiner Name	Alexander, Reginald
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U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,442,763	04/1984	Beller	
		US- 4,455,928	06/1984	Townsend	
		US- 4,483,241	11/1984	Vaughn	
		US- 4,508,024	04/1985	Perkins	
		US- 4,562,771	01/1986	Williams	
		US- 4,625,634	12/1986	Krüper	
		US- 4,726,352	02/1988	Radke	
		US- 5,044,262	09/1991	Burkett et al.	
		US- 5,184,540	02/1993	Riccio	
		US- 5,275,095	01/1994	Van Haren	
		US- 5,325,767	07/1994	Beller	
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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

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Sheet 6

of

7

Complete if Known

Application Number	10/648,836
Filing Date	August 26, 2003
First Named Inventor	Alan L. Backus
Art Unit	1761
Examiner Name	Alexander, Reginald
Attorney Docket Number	65476-5009

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Sheet 7

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First Named Inventor	Alan L. Backus
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